



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC IMPLEMENTS MIGRATION PATH TO PROMOTE THE EFFICIENT USE OF SPECTRUM IN THE 700 MHZ PUBLIC SAFETY BAND

Washington, DC -- The Federal Communications Commission has adopted a *Fifth Report and Order* that sets forth a uniform migration path for General Use and State License public safety channels that will promote the deployment of spectrally efficient equipment in the 764-776 MHz and 794-806 MHz band (700 MHz band). Implementing the same migration path for General Use and State License channels will enhance the ability of public safety agencies to perform both long range and short term planning to include coordination with adjacent agencies regarding their respective communications needs. Such planning and coordination is critical to the successful deployment of communications systems in this band. The Commission's action will also ensure the efficient, effective and maximized use of the 700 MHz band.

The FCC's migration path requires that all new systems accepted for filing after December 31, 2006, must use 6.25 kHz equipment (*i.e.*, radios that are able to provide one voice channel per 6.25 kHz). However, the FCC noted that the rules adopted today include a grandfathering policy to encourage the expeditious development and deployment of the 700 MHz band. The grandfathering policy allows licensees of 12.5 kHz systems to operate their systems until December 31, 2016, if they file their license application on or before December 31, 2006.

Background on the 700 MHz Band:

In the Balanced Budget Act of 1997, Congress directed the FCC to allocate twenty-four megahertz of spectrum in the 700 MHz band for public safety use. The FCC designated the spectrum for use as follows: 12.5 MHz for General Use, 2.6 MHz for Interoperability, 2.4 MHz for State License, 0.3 MHz for Low Power, 0.2 MHz for Secondary Trunking, and 6.0 MHz for Reserve.

The General Use spectrum, which consists of both 6.25 kHz and 50 kHz channels (referred to as narrowband and wideband, respectively), is licensed utilizing a regional planning approach akin to that used for the 800 MHz band. The General Use channels can be used for voice and data applications in support of public safety services. The State Licenses are 2.4 MHz geographic area licenses based on state boundaries. The State Licenses are issued to the Governor of each state or the Governor's designee to use to implement statewide public safety systems.

Details of the 5th Report and Order:

The Fifth Report and Order adopts the following migration plan for the narrowband General Use and State License channels of the 700 MHz band:

- Allows the marketing, manufacture and importation of 12.5 kHz equipment until December 31, 2006.

- Accepts applications for filing to use 12.5 kHz equipment that are filed on or before December 31, 2006.
- Accepts applications for filing for *new* systems to use 6.25 kHz equipment that are filed after December 31, 2006.
- Permits legacy licensees to continue using 12.5 kHz based systems until December 31, 2016.
- Permits legacy licensees to purchase dual-mode equipment for 12.5 kHz system expansion or maintenance.
- Requires use of 6.25 kHz-compatible equipment exclusively effective after December 31, 2016.
- Cease certifying equipment that is exclusively 12.5 kHz or that lacks 6.25 kHz efficiency and only certify equipment that is dual-mode effective after December 31, 2006.

Action by the Commission July 16, 2002, by Fifth Report and Order (FCC 02-216). Chairman Powell, Commissioners Abernathy, Copps and Martin.

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